

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Kong on 6/19/08.

The application has been amended as follows:

Claim 5: **line 3**, before "voltage" replace "the" with --a--, line 4, before "voltage" replace "the" with --a--, and **line 6**, before "voltage" replace "the" with --a--, and after "equal to" replace "the" with --a--.

Claim 7: at very last line, delete ", and said container".

2. The drawings filed 1/13/06 are acceptable.

3. The following is an examiner's statement of reasons for allowance: The present invention is directed to a device for judging the type of liquid inside a container. Each independent claim identifies the uniquely distinct features "a plate capacitor comprising two plate electrodes disposed opposite to each other, a container supporting means for holding a non-conductive container that contain a liquid, in a region other than the region sandwiched by the two plate electrodes" in combination with the manner claimed. The advantage of two plate electrodes disposed opposite to each other and not in the region sandwiched the container, to optimize the

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sensitivity of the plate capacitor with the container, regardless of the size of container or the amount of liquid contain in container. The closest prior arts, Burrows et al. [US 5,497,102], Cohen et al. [US 5,135,485], Firestone [US 2,285,152] and Rosemberg et al. [US 7,021,122] teach similarly system, but fail to teach the distinct limitation above. Therefore, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SON M. TANG whose telephone number is (571)272-2962. The examiner can normally be reached on 5/8.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, George A. Bugg can be reached on (571)272-2998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Son Tang

/George A Bugg/
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